

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 3, 2008

DIVISION ONE

B201677 Pugh (Not for Publication)
v.
Workers Compensation Appeals Board
County of Los Angeles, Respondent

The WCAB's Opinion and Order Granting Reconsideration and Decision After Reconsideration are annulled and the cause is remanded for further proceedings consistent with the views expressed in this opinion.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Weisberg, J. (Assigned)

DIVISION TWO

B201510 Frank Trevino (Not for Publication)
v.
City of Los Angeles et al.

The judgment striking count 3 from the personnel complaint, and directing the Board of Rights to convene for the purpose of considering an appropriate penalty for the remaining counts of which Trevino was found guilty, is modified by additionally striking count 5 from the personnel complaint. In all other respects, the judgment is affirmed. Each party to bear its own costs on appeal.

Boren, P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

DIVISION TWO (continued)

B201955 Gerling American Insurance Company (Not for Publication)
v.
American International Specialty Lines Insurance Company et al.

The judgment (order of dismissal) is reversed. The case is remanded to the trial court with instructions to vacate its order sustaining the demurrers without leave to amend. The court is directed to enter a new order overruling the demurrers as to the first cause of action (for equitable contribution) and to third cause of action (for declaratory relief), and to sustain the demurrers to the second cause of action (for equitable subrogation) with leave to amend. Respondents to bear all costs on appeal.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B200762 Nationwide Indemnity Company (Not for Publication)
v.
American States Insurance Company et al.

The portion of the May 2, 2007, order imposing on Nationwide \$19,695.75 in sanctions payable to American Insurance is reversed and the sanctions are vacated. That aspect of the order requiring Nationwide to pay the referee's fees and costs of \$11,179.00, with interest at a rate of 10 percent from the date of the order, is modified to reflect that such payment must be made by American Insurance Nationwide is entitled to recover its costs on appeal.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION THREE

B201007 Addison (Not for Publication)
B203213 v.
County of Los Angeles, et al.

The judgment (B201007) and post judgment order awarding attorney fees (B203213) are affirmed. The County shall recover its costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION SIX

B203119 Murray, et al. (Not for Publication)
v.
Zajic
Sutherland, as Trustee, etc.

The record contains substantial evidence supporting the judgment and it is therefore affirmed. Respondent shall recover costs.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B209450 People
v.
Wright

The appeal is dismissed. (*People v. Taylor* (2008) 160 Cal.App.4th 304, 312-314.)

November 3, 2008 (Continued)

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B196958 People v. Maldonado
B198042 People v. Bernhard
B199710 People v. Sherman
B201144 People v. Jackson
B201295 People v. Ramirez
B201364 People v. Berry
B201702 People v. Clay
B203218 People v. Johnson
B203880 People v. Licher
B204119 People v. Casillas
B204139 People v. Norwood
B204514 People v. Frenes
B204805 People v. Nancy B.
B205255 DCFS v. Sandi C.
B206036 DCFS v. Robert S.
B206140 People v. Bradford
B206453 DCFS v. Lydia E.
B206588 DCFS v. Anthony E.
B206801 People v. Pinzon
B206980 DCFS v. Ruby T.
B207135 People v. Fluker
B207697 Melvin M. v. Jesus T.
B202961 People v. Lee

Argument waived, cause submitted.

DIVISION SEVEN (continued)

B204672 People
 v.
 Gomez

Merits:

Argued by Roy Preminger, Deputy Attorney General for respondent and no appearance for appellant. Cause submitted.

Court recessed.

Court reconvened at 10:00 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Eva McClintock, Deputy Clerk.

B198465 Cunningham
 v.
 Buffalo Pumps, Inc.,
 Leslie Controls, Inc.,

Merits:

Argued by Paul Cook for appellant and by John Wallace and James Scadden for respondents. Cause submitted.

Jackson, J. left the bench at 10:56 a.m.

B194300 Cohen
 v.
 Barry

Merits:

Argued by Gilbert Garcia for appellant and by Robert Ryan for respondent. Cause submitted.

Court recessed.

November 3, 2008 (Continued)

DIVISION SEVEN (continued)

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Eva McClintock, Deputy Clerk.

B205760 Chuen v. Hong

Argument waived, cause submitted.

B197979 Phillips et al.,
 v.
 Doran

Merits:

Argued by James Miller for appellant and by Ellen Serbin for respondents.
Cause submitted.

B19867 Porter
 v.
 Kielbasa et al.,
 Kielbasa

Merits:

Argued by James Turner for appellants and by Julia Birkel and Robert Splinter for respondents. Cause submitted.

Zelon, J. left the bench.

B200515 Anderson
 v.
 MCI Communications

Merits:

Argued by Aaron Brock for appellant and by Michelle Walker for respondent. Cause submitted.

DIVISION SEVEN (continued)

B202059 Massaji
 v.
 Rofeh

Merits:
Argued by Christopher Campbell for appellant and by Ramin Azadegan for
respondent. Cause submitted.

B205218 Marcelin
 v.
 Johnson

Merits:
Argued by George Halimi for appellant and by Frederick Seymour for
respondent. Cause submitted.

Court adjourned.

B206024 People (Not for Publication)
 v.
 D.F.

The order under review is affirmed.

Zelon, J.

We concur: Perluss, P.J.
 Jackson, J.